

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LEN HERRICK, and VERONICA	)	
HERRICK,	)	
	)	4:09CV405
Plaintiffs,	)	
	)	
v.	)	MEMORANDUM AND ORDER
	)	
STATE FARM FIRE & CASUALTY	)	
COMPANY,	)	
	)	
Defendant.	)	

This case was removed from District Court of Franklin County Nebraska. Plaintiffs' counsel in the state court action, Don E. Theobald, does not practice in federal court, is not registered on this court's electronic filing system, and has moved to withdraw. Filing No. 12. The court finds the motion to withdraw should be granted.

IT IS ORDERED:

1. The motion to withdraw filed by Don E. Theobald, (filing no. 12), is granted. The clerk shall mail a copy of this order to the plaintiffs at the following address:

Len & Veronica Herrick  
PO Box 64  
Franklin NE 68939

2. The plaintiffs are given 20 days from the date of this order in which to either: (1) obtain the services of substitute counsel and have that attorney file an appearance in their behalf; or (2) file a statement informing the court of their intent to proceed in this case without counsel. If neither of these actions is taken within the next 20 days, this case will be subject to dismissal.
3. The plaintiffs' unopposed motion to continue, (filing no. 8), is granted, and the parties' Rule 26(f) Report of Parties' Planning Conference shall be filed on or before March 4, 2010.

DATED this 21<sup>st</sup> day of January, 2010.

BY THE COURT:  
s/ Cheryl R. Zwart  
Cheryl R. Zwart  
United States Magistrate Judge